

EM SSAB CHAIRS
Bi-Monthly Conference Call
Thursday, January 22, 2009
3:00 p.m. – 4:30 p.m.

Participants

Chairs/Representatives:

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| Idaho | Ceri Chapple |
| Nevada | Dave Hermann, Walter Wegst, Stacy Standley, Denise Rupp, Kelly Snyder |
| NNM | Ralph Phelps, Jeff Casalina, Menice Santistevan |
| Oak Ridge | Ted Lundy, Pat Halsey, Spencer Gross, Pete Osborne |
| Paducah | Judy Clayton, Eric Roberts, Buz Smith |
| Portsmouth | Val Francis, Richard Snyder, Julie Galloway, David Kozlowski, Greg Simonton |
| Richland/Hanford | Susan Leckband, Shelley Cimon |
| Savannah River | Donna Antonucci, Ranowul Jzar, Gerri Flemming, Mindy Mets |

DOE representatives:

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| EM-13 | Melissa Nielson, Cate Brennan, Michelle Hudson |
| EM-5/6 | James Fiore |
| EM-12 | Christine Gelles |
| EM-20 | Mark Gilbertson |
| EM-31 | Connie Flohr |
| CI | Betty Nolan |

OPENING REMARKS

Cate Brennan welcomed participants to the call and reviewed the afternoon's agenda.

Transition Update

James Fiore, Director for the Office of Management Analysis, provided participants with an update on the transition.

EM has participated in a number of transition team briefings to discuss its mission and proposed paths forward. The transition team responded positively to EM's proposals, indicating clear support for the program. Of particular note was EM's proposal to reduce the complex's physical footprint and make land available for the development of energy parks. This strategic option would require EM to evaluate cleanup activities throughout the complex and identify opportunities to reduce the square mileage of various sites, thereby significantly scaling back the physical footprint of the EM program over the next

five years. Mr. Fiore reported that the proposal resonated with the transition team and has been included in the stimulus bill that is currently under consideration in Congress. Should this concept be approved, it will provide jobs immediately. Furthermore, if and/or when footprint reduction commences, the process will make assets (such as land, infrastructure, etc.) available for the development of energy parks. Mr. Fiore noted that EM has the contractual vehicles, experienced workforce, community ties, and environmental impact data available to accomplish these goals.

Lastly, with regard to personnel changes taking place during the transition, Mr. Fiore explained that there is still no indication as to when an Assistant Secretary for EM will be appointed and confirmed. The expectation is that appointments will trickle down from the Secretarial level, with the next likely candidates being identified for undersecretary positions. He cautioned that there is no hard schedule; however, comparatively, the current transition has progressed rather quickly.

Mr. Fiore concluded his presentation by noting that in addition to his current responsibilities, he will serve as the Acting Director for the Office of Communications and External Affairs until a new individual is appointed to the post.

Lastly, as transition efforts continue, the EM SSAB Chairs may be contacted to provide input on the EM program over the coming months.

Congressional Update

Betty Nolan from the Office of Congressional and Intergovernmental Affairs reported that there is a lot of activity taking place on Capitol Hill with regard to the development of the stimulus bill. The House of Representatives, in particular, is considering the release of the remaining \$300 million in funds authorized and appropriated under the Troubled Assets Relief Program legislation. Speaker Nancy Pelosi has stated that the House will pass a stimulus bill before the President's Day recess in mid February. Reports suggest that DOE programs are poised to receive substantial funding under the stimulus proposals.

There are statements from Leadership of cooperation between the Houses and across the Aisle in efforts to develop an agreeable stimulus bill. Once passed, the next order of business will be the Fiscal Year (FY) 2009 budget, which will be addressed through either an Omnibus bill consisting of approximately 10-11 appropriations bills, or a Continuing Resolution (CR) for the remainder of the year. The current CR expires on March 6, 2009.

Budget Update

Connie Flohr, Acting Director for the Office of Budget (EM-31), reported that the FY 2009 budget resolution will likely be passed under an omnibus bill; this option is considered more favorable than the passage of a year-long CR.

With regard to the FY 2010 budget process, the DOE Chief Financial Officer (CFO) recently distributed a tentative schedule with key deadlines for program submissions.

Ms. Flohr noted that target budget numbers are expected from the Office of Management and Budget (OMB) during the week of January 26. These numbers will be for the Departmental level, but in some instances may include indications as to what various programs can expect to receive. DOE will have the opportunity to file any appeals with OMB through January 30. Program-level funding numbers will likely be distributed by the CFO on February 13. Upon receipt, Ms. Flohr's office will prepare EM's FY 2010 budget based on the OMB levels. In the meantime, EM-31 has collected data, generated exhibits, and developed a budget narrative in preparation for this exercise; it is important to note that the materials and information pertaining to the FY 2010 budget are already under embargo. The President's budget is tentatively scheduled to be delivered to Congress on April 21.

Ms. Flohr explained that the data call for the FY 2011 budget is currently circulating in draft amongst the DOE program offices for review and comments. The data call will likely be sent to the field offices in March and collected and embargoed by the end of April. Therefore, EM SSAB members should plan to work with their field sites over the next couple months to ensure that their input is incorporated for FY 2011.

Ms. Leckband noted that the Hanford Advisory Board (HAB) is drafting advice pertaining to funding priorities for the potential stimulus package.

Engineering and Technology Update

Mark Gilbertson, Deputy Assistant Secretary for Engineering and Technology (EM-20), reported that a number of EM-20 documents are now available online at <http://www.em.doe.gov/EM20Pages/EM20HomePage.aspx>. These electronic resources include several technical readiness assessments, external technical reviews, and workshop summaries, as well as materials from the High-Level Waste Corporate Board meetings. EM-20 is working continually to make this site more user-friendly and welcomes the Chairs' feedback.

Mr. Gilbertson also noted that the newly appointed Secretary of Energy, Dr. Steven Chu, emphasized the importance of science and technology in his introductory presentation to DOE staff. EM is well positioned for the transition into this new administration and anticipates a great deal of support as it works to identify science and technology needs.

Mr. Gilbertson concluded his presentation by encouraging the Chairs to contact him directly with any questions or concerns.

Waste Disposition Strategies Update

Christine Gelles, Director for the Office of Disposal Operations (EM-12), provided an update on EM's waste disposition activities.

Ms. Gelles reported that with regard to low-level and mixed low-level waste (LLW and MLLW), preparation continues for the closure of the Toxic Substances Control Act (TSCA) Incinerator at Oak Ridge in FY 2009. EM has a deadline to collect all the

necessary information and regulatory approvals for waste streams that need to be treated at the incinerator by the end of May, at which point the facility will enter the RCRA closure process. A number of alternative commercial options have become available to treat any orphan waste streams generated by the incinerator closure process, such as the DSSI Permafix facility in Tennessee, which recently received its polychlorinated biphenyl (PCB) permit from the Environmental Protection Agency (EPA).

In terms of LLW disposal issues, Ms. Gelles reported that EM has continued to work with its stakeholders and regulators in the State of Nevada to resolve the long standing issue as to whether the Nevada Test Site (NTS) can be used for disposal operations. After extensive consultation with the Department of Interior's Bureau of Land Management, EM is pursuing the relinquishment of 700 acres in Area 5 of the NTS that house the program's MLLW disposal unit. Ms. Gelles explained that relinquishment is an administrative process wherein a government entity notifies the Bureau of Land Management when a public land that had previously been withdrawn for federal use has served its original purpose and is eligible for consideration for public use. Following notification, the Bureau determines whether the land can be made available for future public use. In the case of NTS Area 5, EM anticipates that the Bureau will likely find that the land is not suitable for public use due to the nature of the activities that have taken place there, and will transfer stewardship to the General Services Administration (GSA). In theory, once GSA makes the relinquished land available to federal agencies, DOE will ask to use the Area 5 land as a disposal facility. The goal is to distinguish Area 5 as not suitable for public use, instead of public land withdrawn for DOE use. EM has notified the State of Nevada as to its intent and will continue to discuss any concerns.

In the meantime, EM has continued to prepare LLW and MLLW profiles and profile changes at its Nevada Site Office in order to sequence and perform reviews in preparation for regulatory approval to resume disposition activities at NTS. Ms. Gelles noted that the Department is anxious to complete its dialogue with the State of Nevada and resume operations as this situation has already impacted a number of cleanup projects throughout the complex, namely the Advanced Mixed Waste Treatment Project in Idaho and the transuranic (TRU) waste processing facility in Oak Ridge. The waste streams resulting from these particular projects are becoming backlogged and are ineligible for commercial treatment until the NTS disposal pathway becomes available. Ms. Gelles emphasized that this issue is a very high priority for EM.

With regard to waste treatment activities and capabilities, significant progress has been made within the commercial industry. In particular, Waste Control Specialists, LLC, recently obtained its RCRA permit for a federal waste disposal cell at its Texas facility. The Texas regulators also approved the facility's final license with the caveat that DOE must enter into a written agreement with the State regarding the long-term ownership responsibilities and liabilities for the disposal facility, following its closure and decommissioning. The final license is under review by EM.

The Waste Isolation Pilot Plant (WIPP) has concluded its two-month maintenance period and is in the process of ramping activities back up to the full rate of TRU waste receipts. WIPP has resumed emplacing waste and is working toward a target of receiving 21

contact-handled (CH) and five remote-handled (RH) TRU waste shipments per week. During the outage period, EM was able to make approximately 10 shipments of legacy TRU waste from NTS to the Idaho National Laboratory (INL) for repackaging. The final shipments from NTS will take place in the coming months, with the intersite campaign scheduled to be complete by the end of April. The Hanford-INL intersite shipping campaign, also scheduled to take place during the WIPP outage, was postponed pending resolution of issues concerning workforce transition.

Ms. Gelles noted that EM plans to revise its 2009 TRU waste shipment goals for the balance of the year and schedule a rate of 25 CH TRU waste shipments per week. The program is also attempting to accelerate the processing and shipment of additional RH TRU waste from INL that had previously belonged to the DOE Office of Nuclear Energy; this addition will necessitate changes in the site's approved baselines and regulatory approval before shipments can begin. The RH TRU waste baseline for Oak Ridge has been approved by EPA. EM hopes to initiate shipments within the month. Additionally, EM is working to obtain the necessary approvals for RH TRU waste shipments from the GE Vallecitos site in California.

Lastly, with regard to high-level waste (HLW), Ms. Gelles reported that EM has continued to work on all requisite activities to ensure that the program's HLW and spent fuel waste forms are analyzed appropriately in support of the Department's Yucca Mountain license application.

Planning Committee for the Spring Chairs Meeting (Savannah River)

Donna Antonucci, Chair of the Savannah River Site Citizens Advisory Board (CAB), provided a brief overview of the itinerary for the March 17-19 Chairs meeting in Augusta, Georgia.

Participants are scheduled to tour SRS on March 17; due to the size of the site, the tour will likely focus on a few key areas of interest, such as the F Area, MOX Facility, tank farms, and perhaps H Canyon. The official meeting will feature presentations from a number of senior EM managers and focus on the EM vision and priorities for 2009 and beyond: program planning and budget, engineering and technology, waste disposition, and the Congressional budget process. The meeting will conclude with a demonstration of the SRS CAB's E-Meeting tool. A draft agenda has been circulated among the Chairs for review. Participants are encouraged to provide the planning committee with any suggestions or questions for the scheduled speakers to address.

Ms. Leckband noted that a draft letter of introduction to the incoming Assistant Secretary had been distributed for consideration at the March meeting. Ideally, local board members should review this product and vote on its approval prior to the March meeting in order to allow the Chairs to sign on their behalf during the proceedings.

Registration and logistics information will be provided to the Chairs and EM SSAB staff via email by the end of January.

Around the Complex:

Richland – Susan Leckband

- The HAB will hold its next full meeting on February 5-6. The meeting will likely produce four pieces of advice and a white paper on long-term stewardship for the Hanford site.
 - The advice will pertain to a variety of topics, such as public comment on the tank closure waste management Environmental Impact Statement (EIS), FY 2010 budget and funding priorities, criteria for Hanford tank waste reduction, and possibly the national repository.
- The HAB's FY 2008 Annual Report will be published in the near future; copies will be made available to any interested EM SSAB members.

Idaho – Ceri Chapple

- The INL CAB held a meeting on January 21.
 - Presentations and discussions addressed landfill design, construction, and operation; the RH TRU waste disposition project; unfunded liabilities that could be transferred into the EM program from the Office of Nuclear Energy; and general site updates.
 - Members also voted on and recommended a new individual for appointment to the Board.
- The next INL CAB meeting will be held on April 7.

Nevada – Walt Wegst

- Low meeting attendance continues to be a challenge for the NTS CAB, resulting in the removal of another new member due to lack of participation.
- Members from the NTS CAB have continued to work on and strengthen the board's EM group presentation for local students.
- The NTS CAB will hold its next meeting on January 28.

Northern New Mexico – Ralph Phelps

- The Northern New Mexico CAB (NNMCAB) continues to carefully monitor the current budget situation and is prepared to provide its perspective to DOE should a stimulus package be approved and include additional funding for EM activities at the Los Alamos National Laboratory (LANL).
- The NNMCAB published a winter newsletter; copies will be made available to any interested EM SSAB members.
- The State of New Mexico recently introduced a database for groundwater data samples known as the Risk Analysis Communication Evaluation Reduction (RACER).
 - The NNMCAB has engaged in a number of discussions regarding the quality of the RACER data and what it will be used for. Any input or lessons learned from other local boards with similar databases in their regions is welcomed.
- The NNMCAB will hold its next meeting on January 28.
 - The main presentation will address LANL's network analysis for groundwater characterization.

- Members will also review the methodology behind the planning for several new wells and their data quality objectives.

Oak Ridge – Ted Lundy

- Demolition began at the historic K-25 building's west wing on December 16, 2008, and is scheduled for completion by the end of 2010. The entire facility will be demolished by the end of 2011.
 - Discussions continue regarding historical preservation and alternatives for memorializing K-25.
 - A large pond situated in front of K-25 with high levels of PCB contaminated sediment will be drained, remediated, restored and repopulated with vegetation and fish.
- The Oak Ridge Site-Specific Advisory Board (ORSSAB) is working with DOE to hold a public meeting in February regarding major modifications to the site's Federal Facility Agreement (FFA). The modifications will incorporate recent changes to the site's FFA such as the Integrated Facilities Disposition Project.
- In March, as part of its regular proceedings, the ORSSAB will host a public meeting on the DOE-Oak Ridge EM budget and prioritization.
- The ORSSAB recently published its FY 2008 Annual Report in addition to its regular newsletter, *The Advocate*.

Paducah – Eric Roberts

- On January 16, a Request for Proposal (RFP) for Paducah's environmental remediation project was released. The Paducah SSAB is anxious to see the RFP and a smooth transition to the next contractor.
- DOE is exploring options to combine inactive facilities at the Paducah site under one CERCLA document in order to expedite paperwork processing requirements and facilitate D&D projects.
 - The Paducah SSAB will create a flowchart for public involvement to allow for community feedback and opinions as to which buildings should be demolished and which should be saved for future use.
- As a result of the five-year CERCLA review completed last fall, DOE will place 55 additional monitoring wells throughout the Paducah site in order to examine the movement of a large groundwater plume.
 - The Paducah SSAB plans to provide recommendations as to where the wells should be located.
- The Paducah SSAB will submit a membership package to DOE-Headquarters that, if approved, will bring the local board up to its full allotment of 18 members.

Portsmouth – Richard Snyder and Val Francis

- The Portsmouth SSAB (PORTS SSAB) passed its first official recommendation on January 8, which pertained to including corporate investment in the community in the draft RFP for the Portsmouth Gaseous Diffusion Plant D&D project.
 - The D&D project is a large, multi-million dollar, long-term investment and the PORTS SSAB believes that it is important for the successful bidder to include corporate citizenship efforts in its plans for work in the community.

- DOE is holding a public meeting to review the draft RFP and take comments on the evening of January 22.
- The Portsmouth D&D project will involve a Management and Integration (M&I) contract. This type of contract is a first-of-its-kind for the site.
- The PORTS SSAB's Future Land-Use Committee is drafting a recommendation regarding the location of a spent nuclear fuel storage site.
 - Rumors are circulating that Portsmouth has been found to be an appropriate location for a spent nuclear fuel storage site; however, there does not appear to be a lot of support for this proposal in the community.
- The PORTS SSAB's Environmental Restoration Committee is waiting for an opportunity to review the final 701-B groundwater plume reports and will prepare recommendations on the remediation process for the full board's approval.
- DOE has requested an internal technical review to provide insight on the available methods for removing trichloroethylene (TCE) from clay in lower soil levels of the Portsmouth site. According to Jeff Castanza from the EPA, the level of TCE concentration in the clay at Portsmouth has not been seen elsewhere in the country.
- The next PORTS SSAB meeting is scheduled for February 5.

Savannah River – Donna Antonucci

- The SRS CAB held officer elections and reviewed a slate of candidates for appointment to the Board during its meeting on November 17 -18. The nominees will attend orientation in February and are expected to be appointed to the EM SSAB in March.
- The SRS CAB has held a number of productive committee meetings that featured presentations and discussions on the optimization of H-Canyon and canisters for the Defense Waste Processing Facility. The committees are still waiting for the published H-Canyon supplemental EIS and safety documentation.
- The SRS CAB will hold its next meeting on January 26-27. This meeting will be the last for Ms. Antonucci, the SRS CAB Chair.

Closing Remarks

Ms. Brennan noted that Secretary Chu held an all-hands meeting for EM employees and expressed his belief that DOE will be a key agency for the future of America, highlighting the importance of investments in science and technology, intellectual capital, and legacy cleanup. Secretary Chu also expressed his optimism for DOE's anticipated funding in the stimulus package.

The Chairs bid farewell to Ms. Antonucci and thanked her for her service.

Ms. Brennan thanked the participants for their time.